

REMARKS

This amendment is submitted in response to the Examiner's Action dated December 15, 2004. Applicant has amended the claims to clarify key features of the invention and overcome the claim rejections. No new matter has been added, and the amendments place the claims in better condition for allowance. Applicant respectfully requests entry of the amendments to the claims. The discussion/arguments provided below reference the claims in their amended form.

CLAIMS REJECTIONS UNDER 35 U.S.C. § 112

In section 2 of the present Office Action, Claims 8-19 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended the claims to make them more definite. The amendment overcomes the §112 rejection, and Applicant respectfully requests reconsideration of the rejection in light of the amendment.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In section 4 of the present Office Action, Claims 1-3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over *DeLorme, et al.* (U.S. Patent No. 5,948,040) in view of *Schuette* (U.S. Patent No. 5,710,557). The combination of *DeLorme* and *Schuette* does not render Applicant's claims unpatentable because that combination fails to suggest to one skilled in the art several key features recited by Applicant's claims

Applicant's invention focuses on a computerized-parking space reservation method/system that enables a user to access the reservation computer system (remotely from another computer via the Internet or other network) and reserve a space in a location (e.g., a parking facility) for a specified duration of time. The user receives a printed coupon with a bar code that the user later utilizes to enter the location and utilize the reservation. In one embodiment, Applicant's invention also provides an auction utility by which multiple users bid for a space reservation in the location when the number of spaces is limited. In another embodiment, the user is able to request valet options along with the reservation so that the valet

is responsible for parking and retrieving the user's vehicle at the start and end of the reservation period.

The above and other key features are recited by Applicant's claims, with exemplary claim 1 reciting the following elements, in relevant parts:

*receiving a reservation request ...; providing an electronic payment method for receiving payment for an issued reservation...; and
outputting...a reservation coupon, which includes an identifying bar code that enables access to the location via a bar code reader, and wherein when the reservation assigns a particular space among the plurality of spaces, the reservation coupon also includes a space identifier indicating the particular space that is assigned to the reservation*
(emphasis added)

Further, dependent Claims 3 and 5, respectively provide:

*activating an auction utility to enable multiple users to start bidding for one of said spaces, wherein a user with a highest bid is awarded the space and issued a corresponding reservation coupon; and
selecting a valet option ..., wherein a valet receives the recipient's vehicle at a predetermined valet location and parks the recipient's vehicle within the location at the beginning of the reservation period and the valet retrieves and delivers the recipient's vehicle at an end of said reservation period.*
(emphasis added)

Neither *DeLorme* nor *Schuetz*, individually or in combination with each other, suggests any of the above functionality related to (1) the reservation coupon (i.e., identification of specific space and entry to location), (2) auctioning of available spaces among users or (3) use of a valet option with the space reservation.

DeLorme

DeLorme describes a travel reservation system that “generates ‘map ticket’ output in various media, for guidance and transactions en route” (Abstract; *emphasis added*). With *DeLorme*’s system “[u]sers engage in an iterative planning process, revising or editing travel plans, previewing travelogs of alternate routes, selecting point of interest parameters, comparing times and cost of transportation options, in order to achieve a satisfactory travel plan” (Abstract). Most significantly, the above laundry list of the features recited by *DeLorme* is devoid of any reference or suggestion of a reservation process and in particular, a parking reservation processes. *DeLorme* never contemplates such processes, and Examiner correctly recognizes this deficiency in the reference.

Auctioning spaces/reservations to a highest bidder

Additionally, *DeLorme* does also not teach or suggest a bidding process for a space within the parking facility. Examiner relies on a mention of the term/phrase “bids comparisons” within *DeLorme* and clearly mischaracterizes the meaning of that term/phrase as utilized by *DeLorme*. The section of *DeLorme* that mentions the term is col. 8, lines 49-54, which states:

The TRIPS software permits the user to compare and ‘shop’ for ticket/reservation prices by incorporating a transaction subsystem to handle inquiries, offers, bid comparisons, options...

Given the above context within which the term is presented, it is very clear that “bid comparisons” refer to a process of comparing offers provided to the consumer/user by multiple “sellers” or “providers” of a service/product (i.e., the user is offered multiple options that the user may select from). This process is very different from and in no way suggestive of Applicant’s process by which multiple users attempt to reserve a specific space within a location by bidding on the space and the user submitting the highest bid being awarded the reservation for the space.

One skilled in the art would recognize the clear distinction between a single user being given multiple options to select from and multiple users bidding on a single item that is allocated

to the highest bidder. *DeLorme* clearly does not suggest an auctioning of a (parking) space, where the consumer/user is competing against another consumer/user who also desires to purchase the (parking) space, and one skilled in the art would not equate these two very different processes or hold one to be suggestive of the other.

Valet Feature with Space Reservation & Schuette

Examiner correctly states that *DeLorme* fails to disclose the functions related to reserving a parking space and/or providing a valet option for the user when parking. Examiner relies on Col. 2, lines 20-41 of *Schuette* to support the rejection of these features of Applicant's claims.

Schuette generally describes a computerized valet parking system and that section of the *Schuette* discloses a vehicle valet retrieving system with a first data transceiver for inputting and retrieving a first set of vehicle identifying data and a second data transceiver at a vehicle parking facility for inputting and retrieving a second set of vehicle identification data. Both sets of data are stored and "[t]he second data transceiver outputs vehicle pick-up data for retrieval purposes in response to a vehicle retrieval command from the central processor." The actual operation of *Schuette*'s system is more clearly defined at lines 42-53, and includes: (1) "initiating retrieval of a parked motor vehicle remotely from a vehicle staging area;" and (2) "personalizing the valet parking system... retrieve driver identification data upon entering vehicle license plate data." The latter operation is not relevant to the present discussion.

With regards to the first function/operation, Figures 8-11 (and the descriptions thereof at col. 5, line 57 – col. 6, line 36) clearly indicate the specific operation attributable to *Schuette*, and that section describes a car pick-up or retrieval system after the car has previously been valet parked. As is clear from that section, the first data transceiver is merely a GUI with scanner for a customer to request retrieval of his/her car by the valet service. The second transceiver is used by the valets to receive a signal indicating that the customer is ready for his/her vehicle. There is absolutely no reference to or suggestion of an actual reservation system for reserving parking spaces or requesting valet parking ahead of time when making/requesting the reservation. The other related functions associated with the valet features are also not taught/suggested by *Schuette*.

Given the above reasons, it is clear that the combination of references does not suggest key features of Applicants' invention. Specifically, *DeLorme* does not teach or suggest several features of Applicant's invention and *Schuette* also does not teach or suggest those features that are not taught nor suggested by *DeLorme*. For these and other reasons, one skilled in the art would not find Applicants' Claims 1-3 and 5-7 unpatentable over the combination *DeLorme* and *Schuette*, and those claims are allowable.

Claims 8-14, 18-22, 24-28 and 30-31

In section 5 of the present Office Action, Claims 8-14, 18-22, 24-28 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over *DeLorme* in view of *Schuette* and in further view of *Yoshida* (U.S. Patent No. 5,877,704). The limitations of *DeLorme* and *Schuette* are presented above. Examiner relies on the above rejection to support the current rejection. Applicant has provided arguments overcoming the above rejections and showing why claims elements rejected by the combination of *DeLorme* and *Schuette* are allowable. Since the present set of claims contains similar elements/functional features as Claims 1-3 and 5-7, and since *Yoshida* also does not teach those elements/functional features, the present claims are also allowable over the combination of *DeLorme*, *Schuette*, and *Yoshida*.

Claim 4, 15-17, 23, and 29

In section 6 of the present Office Action, Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over *DeLorme* in view of *Schuette* as applied to the claims above, and further in view of *Wong* (U.S. Patent No. 5,029,094). Claims 15-17, 23, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over *DeLorme* in view of *Schuette* in further view of *Yoshida* as applied to the claims above, and further in view of *Wong*.

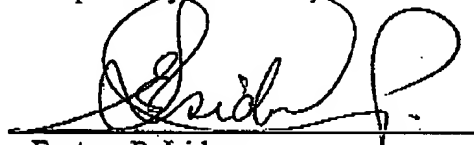
Each of the present claims is dependent on one of the previously addressed claims that has been shown to be allowable over the base references, *DeLorme* and *Schuette*. The present claims are therefore also allowable.

CONCLUSION

Applicant has diligently responded to the Office Action by amending the claims to overcome the respective objections and by clarifying allowable features of each independent claim and several dependent claims. The amendments overcome the §§ 112 and 103 rejections, and Applicant, therefore, respectfully requests reconsideration of the rejections and issuance of a Notice of Allowance for all claims now pending.

Applicant further respectfully requests the Examiner contact the undersigned attorney of record at 512.343.6116 if such would further or expedite the prosecution of the present Application.

Respectfully submitted,



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